

**EASTERN DISTRICT OF MICHIGAN
UNITED STATES DISTRICT COURT**

ROBIN DECKER,

Plaintiff,

Case No: 25-11085
Hon. Judith E. Levy
Mag: Judge Kimberly G. Altman

-vs-

MAC'S CONVENIENCE STORES, LLC.,

Defendant.

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PROPOSED JOINT RULE 26(f) DISCOVERY PLAN

NOW COME the parties, by and through counsel, and file this Proposed Joint Rule 26(f) Discovery Plan pursuant to this Court's Order of June 2, 2025.

I. SUMMARY OF ACTION AND PRINCIPAL FACTUAL AND LEGAL ISSUES

Plaintiff's Summary

Plaintiff's complaint arises from a trip and fall incident that occurred on May 19, 2023, as she was entering Defendant's premises located at 1330 Monroe Street

in the Village of Carleton, County of Monroe, State of Michigan. Plaintiff alleges that she was legally and properly on Defendants premises and her relationship to Defendant was that of a business invitee. Plaintiff alleges that Defendant, and their employees or agents, negligently failed to exercise reasonable care to diminish the hazards created by potholes in the parking lot. In addition to a premises liability count, Plaintiff also alleges a count for negligence by their failure to take necessary precautions to avoid the creation of a dangerous condition. As a result of Defendant's conduct, Plaintiff suffered severe injuries to her right hand, back and right knee that necessitated significant medical treatment and led to economic damages including lost wages and medical expenses.

Defendants' Summary

Plaintiff alleges that on or about May 19, 2023, she tripped and fell while entering the premises located at 1330 Monroe Street in the Village of Carleton, Monroe County, Michigan. According to the Complaint, Plaintiff claims she was lawfully on the premises as a business invitee. She further alleges that Defendant and/or its agents or employees failed to exercise reasonable care in maintaining the parking lot, including by allowing potholes to exist and failing to take steps to prevent or remedy the alleged condition. Plaintiff brings claims for premises liability and general negligence, and alleges she sustained injuries to her right hand, back, and right knee, which purportedly required medical treatment and resulted in

economic losses, including lost wages and medical expenses. Defendant denies liability and disputes the nature, extent, and cause of Plaintiff's alleged injuries and damages.

II. BASIS FOR SUBJECT MATTER JURISDICTION

28 U.S. Code § 1332 - Diversity of Citizenship

III. RELATIONSHIP OF THIS CASE TO OTHER CASES

At the time of this filing, there are no other related cases.

IV. CONTEMPLATED AMENDMENTS(S) OF PLEADINGS TO ADD OR DELETE CLAIMS, DEFENSES OR PARTIES

At the time of this filing, there are no contemplated amendments of pleadings.

V. PROPOSED DISCOVERY

The parties intend to engage in fact discovery, including written and deposition discovery, as well as expert witness discovery.

VI. OUTSTANDING OR ANTICIPATED DISCOVERY ISSUES AND BASIS FOR ANY OBJECTION

There are no outstanding discovery issues because discovery has not begun in this matter. The parties do not anticipate major discovery disputes. In the event of a discovery dispute, the parties will first attempt to resolve the dispute among themselves.

VII. ANTICIPATED MOTION PRACTICE

Plaintiff does not anticipate any motion practice at this time.

Defendant anticipates filing a Motion for Summary Judgment at the conclusion of discovery.

VIII. DISCLOSURE OF AVAILABLE INSURANCE

Defendant Mac's Convenience Stores LLC is self-insured, with a self-retention limit for general and product liability sufficient to cover the damages at issue in this matter.

IX. SETTLEMENT

Plaintiff: No settlement demand issued.

Defendant: No settlement offer issued.

X. SUGGESTED CASE MANAGEMENT PLAN

The parties propose seven months of fact discovery, followed by three months of expert witness discovery, to include the production of expert reports as required by Rule 26(a)(2) and any requested expert depositions. The parties propose the following schedule:

Initial Disclosures	July 26, 2025
Lay Witness Lists	November 26, 2025
Exhibit Lists	November 26, 2025

Discovery Cutoff	January 26, 2026
Expert Witness Disclosure (including reports)	April 26, 2026
Expert Witness Discovery	July 26, 2026
Alternative Dispute Resolution	August 1, 2026
Dispositive Motion Cutoff	August 26, 2026
Joint Pretrial Order	September 2026
Settlement Conference	September 2026
Final Pretrial Conference	October 2026
All other Motions	November 2026
Jury Instructions	November 2026
Trial Date	December 2026

Respectfully submitted,

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Dated: June 23, 2025

CERTIFICATE OF SERVICE

I Rima Najor, hereby certifies that a copy of Joint Rule 26(F) Discovery Plan was served upon all attorneys of record of all parties to the above cause of action via electronic e-filing the same to them at their respective addresses as disclosed by the pleadings herein on June 23, 2025.

/s/ Rima Najor _____

RIMA NAJOR